

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

In re:

Steve Tupy Tire Service, Inc.,

Debtor.

Chapter 7 Case

Bankruptcy No. 09-33680

NOTICE OF SALE

To: The United States Trustee, all creditors (if applicable) and other parties in interest.

On February 26, 2010, or as soon thereafter as the transaction may be completed, the undersigned trustee of the estate of the debtors named above will sell property of the estate as follows:

- 2003 GMC C7500 (VIN No. 1GDM7J1C63F516193)
- 2002 N7500 truck (VIN No. 2FZAAJAL02AK43110)

Both vehicles are subject to lease purchase agreements with TCF Equipment Finance. However, it appears that the value of the vehicles exceed the balance due on the lease agreements. New Prague Tire Service, Inc., an entity owned by Steve Tupy the principal of Steve Tupy Tire Services, Inc., has offered to purchase the bankruptcy estate's interest in the vehicles for the sum of \$7,500.00. In addition, New Prague Tire Service, Inc. will make arrangements to pay TCF Equipment Finance the balance due on the leases. Community State Bank, which has a blanket lien in the debtor's assets, has asserted a lien on the vehicles through a general intangible claim. Trustee disputes the bank's alleged security interest. In an effort to resolve that dispute, the Trustee has agreed to pay \$3,500.00 of the \$7,500.00 purchase price to Community State Bank in full settlement of any security interest it might have in either vehicle. In light of the fact that the bankruptcy estate is receiving what Trustee believes to be the reasonable equity for the vehicles and is also avoiding the risks associated with selling the vehicles at an auction and the cost of auction fees, Trustee believes that the acceptance of New Prague Tire Service, Inc.'s offer is in the best interest of the estate.

OBJECTION: MOTION: HEARING: Under applicable rules, any objection must be in writing, be delivered to the trustee and the United States Trustee, and be filed with the clerk, not later than 12:00 o'clock noon on the day before the above date. If an objection is made or an order is required, the trustee moves the court for such orders as may be necessary and appropriate. If an objection is timely delivered and filed, the court will hold an expedited hearing on the objection with reduced notice of the hearing. The hearing will be scheduled by the trustee with notice by the trustee to the objecting party and the United States Trustee.

Clerk of Court
200 U.S. Courthouse
316 North Robert Street
St. Paul, MN 55101

United States Trustee
1015 U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

Trustee
(See address below)

Date: January 26, 2010.

/e/ Mary Jo A. Jensen-Carter

Mary Jo A. Jensen-Carter, Trustee
1257 Gun Club Road
White Bear Lake, MN 55110
Telephone: (651) 486-7475